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E-Filed on 4/15/08

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,¹

USA Securities, LLC,²

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STATUS AND AGENDA FOR APRIL
17, 2008 HEARINGS**

Date of Hearings: April 17, 2008

Time of Hearings: 9:30 a.m.
10:30 a.m.

Affects:

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Agenda for 9:30 a.m.

1. Adv. 07-01165-lbr, USA Capital Diversified Trust Deed Fund LLC v.
Margaret B. McGimsey Trust et al., **Pre-Trial Conference** [DE 19]

Related Filing Joint Trial Statement (including stipulated facts) [DE 20]

4/3/08

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

Status: The Court will conduct a hearing in preparation for the May 8th trial on Diversified's complaint for subordination of the various McGimsey claims

2. Adversary 06-01212-lbr Binford Medical Developers, LLC et al. v Fidelity National Title Group et al., Status Conference re: **Amended Complaint** Filed by SUSAN WILLIAMS SCANN on behalf of BINFORD MEDICAL DEVELOPERS, LLC against COMPASS FINANCIAL PARTNERS LLC [DE 80]

Answer Filed: Answer to Amended Complaint [DE 89]
10/05/2007

Counterclaim Filed: Counterclaim by COMPASS FINANCIAL PARTNERS LLC against BINFORD MEDICAL DEVELOPERS, LLC [DE 91]
10/05/2007

4/11/2008 Stipulation and Order Dismissing FIDELITY NATIONAL TITLE COMPANY with Prejudice [DE 123]

Status:

3. **Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS in the amount of** filed by LENARD E. SCHWARTZER on behalf of USA COMMERCIAL MORTGAGE COMPANY [DE 2033]

Opposition Filed: Opposition with Certificate of Service Filed by SUSAN WILLIAMS SCANN on behalf of BINFORD MEDICAL DEVELOPERS, LLC [DE 2329]
12/29/2006

Reply Filed *Reply In Support of Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS* Filed by LENARD E. SCHWARTZER on behalf of USA COMMERCIAL MORTGAGE COMPANY [DE 2378]
1/08/2007

Stipulation Filed: Stipulation By USACM LIQUIDATING TRUST and Between Binford Medical Developers *Continuing Hearing on Objection to Claim 784 of Binford Medical Developers* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4977]
10/11/2007

Related Filing: Order Approving Stipulation to Continue the Hearing on Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS LLC [DE 4988]
10/12/2007

1 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
2 12/11/2007 Binford Medical Developers *Continuing Hearing on Objection to*
3 Claim 784 Filed by ROB CHARLES on behalf of USACM
 LIQUIDATING TRUST [DE 5464, 5474]

4 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
5 12/12/2007 Objection to Claim 784 of BINFORD MEDICAL
 DEVELOPERS, LLC [DE 5479]

6 **1/22/2008** Order Tentatively Approving Settlement and Compromise of
7 Claim [DE 114]

8 **Status:** Hearing continued from 1/17/2008; 3/15/2007; 4/26/2007;
9 6/15/2007; 10/25/2007; 12/14/2007; 1/11/2008 and 2/04/2008.
10 The parties stipulated to allow the Binford claim in the amount of
11 \$925,000 by stipulation and order filed in Adv. Case No. 06-1212
12 (LBR) [DE 114 and 121]. The Court approved that stipulation.
 The relevant order from the adversary proceeding was also
 entered in this bankruptcy matter. [DE 5925.]

13 4. **Objection to Claim 791, 793, and 794 of PENSION BENEFIT**
14 **GUARANTY CORPORATION** filed by LENARD E. SCHWARTZER on behalf of
15 USA COMMERCIAL MORTGAGE COMPANY [DE 2978]

15 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Pension
16 4/18/2007 Benefit Guaranty Corporation; USA Capital Realty Advisors,
17 LLC; USA Securities, LLC; and USA Commercial Mortgage
18 Company *Continuing Hearing on Objection* Filed by ROB
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE
19 3486]

20 **Related Event:** Order Approving Stipulation to Continue the Hearing on
21 4/23/2007 Objection to Proofs of Claim Filed by PENSION BENEFIT
 GUARANTY CORPORATION [DE 3521]

22 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Pension
23 6/11/2007 Benefit Guaranty Corporation *Continuing Hearing on Objection*
 Filed by ROB CHARLES on behalf of USACM LIQUIDATING
24 TRUST [DE 3944]

25 **Related Event:** Order Approving Stipulation to Continue the Hearing on
26 6/12/2007 Objection to Proofs of Claim Filed by PENSION BENEFIT
 GUARANTY CORPORATION [DE 3962]

Stipulation Filed: 10/11/2007 Stipulation By USACM LIQUIDATING TRUST and Between Pension Benefit Guaranty Corporation *Continuing Hearing on Objections* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4963]

Related Event: 10/12/2007 Order Approving Stipulation to Continue the Hearing on Objections to Proofs of Claim and Amended Proofs of Claim Filed by PENSION BENEFIT GUARANTY CORPORATION [DE 4980]

Stipulation Filed: 11/30/2007 Stipulation By USACM LIQUIDATING TRUST and Between Pension Benefit Guaranty Corporation *Continuing Hearing on Objections* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5420]

Related Event: 12/05/2007 Order Approving Stipulation Continuing Hearing on Objections to Proofs of Claim and Amended Proofs of Claim Filed by PENSION BENEFIT GUARANTY CORPORATION [DE 5441]

1/10/2008 *Joint Statement of Issues on Objections to Proofs of Claim and Amended Proofs of Claim Filed by Pension Benefit Guaranty Corporation* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5629]

Stipulation Filed: 1/15/2008 Agreed Stipulation By PENSION BENEFIT GUARANTY CORPORATION and USACM Liquidating Trust */Stipulation Continuing Hearing on Objections* Filed by FRANK A. ANDERSON on behalf of PENSION BENEFIT GUARANTY CORPORATION [DE 5659]

Related Event: 1/16/2008 Order Approving Stipulation Continuing Hearing on Objections of the USACM LIQUIDATING TRUST to PBGC's Proofs of Claim [DE 5678]

2/15/2008 Request for Settlement Conference on Objections of the USACM Liquidating Trust to PBGC Proofs of Claim Filed by FRANK A. ANDERSON on behalf of PENSION BENEFIT GUARANTY CORPORATION [5857]

2/19/2008 Response by USACM Liquidating Trust to Request for Settlement Conference on Objections of the USACM Liquidating Trust to PBGC Proofs of Claim [filing today]

Status: Hearing Continued from 4/26/2007; 6/15/2007; 10/15/2007; 12/14/2007; 1/24/2008, and 2/21/2008. The court will hear oral argument on the remaining unresolved issues.

1 5. **Objection of the USACM Liquidating Trust to Claim *Amended 10725-***
2 **00791, 793, and 794 of Pension Benefit Guaranty Corporation *Filed by the Pension***
3 ***Benefit Guaranty Corporation*** filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 4728]

4 **Opposition Filed:** None

5 **Stipulation Filed:** Stipulation Continuing hearing on Objections to Proofs of Claim
10/11/2007 and Amended Proofs of Claim filed by Pension Benefit Guaranty
6 Corporation [DE 4963]

7 **Related Event:** Order Approving Stipulation to Continue the Hearing on
10/12/2007 Objections to Proofs of Claim and Amended Proofs of Claim
8 Filed by PENSION BENEFIT GUARANTY CORPORATION
9 [DE 4980]

10 **Response Filed:** Response of the Pension Benefit Guaranty Corporation to
11/01/2007 Objections of the USACM Liquidating Trust to PBGC Proofs of
11 Claim Filed by FRANK A. ANDERSON on behalf of PENSION
BENEFIT GUARANTY CORPORATION [DE 5213]

12 **Reply Filed:** Reply with Certificate of Service of the USACM Liquidating Trust
13 11/21/2007 in Support of Objections to Proofs of Claim Filed by the Pension
14 Benefit Guaranty Corporation Filed by ROB CHARLES on
behalf of USACM LIQUIDATING TRUST [DE 5404]

15 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
16 11/30/2007 Pension Benefit Guaranty Corporation *Continuing Hearing on*
17 *Objections and Proofs of Claim and Amended Proofs of Claim*
18 *filed by Pension Benefit Guaranty Corporation* Filed by ROB
CHARLES on behalf of USACM LIQUIDATING TRUST [DE
5420]

19 **Related Event:** Order Approving Stipulation Continuing Hearing on Objections to
20 12/05/2007 Proofs of Claim and Amended Proofs of Claim Filed by
PENSION BENEFIT GUARANTY CORPORATION [DE 5441]

21 1/10/2008 *Joint Statement of Issues on Objections to Proofs of Claim and*
22 *Amended Proofs of Claim Filed by Pension Benefit Guaranty*
23 *Corporation* Filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 5629]

1 1/15/2008 Agreed Stipulation By PENSION BENEFIT GUARANTY
2 CORPORATION and Between USACM Liquidating Trust
3 *Stipulation Continuing Hearing on Objections of the USACM*
4 *Liquidating Trust to PBGC's Proofs of Claim.* Filed by FRANK
5 A. ANDERSON on behalf of PENSION BENEFIT GUARANTY
6 CORPORATION [DE 5659]
7
8 1/16/2008 Order Approving Stipulation Continuing Hearing on Objections
9 of the USACM LIQUIDATING TRUST to PBGC's Proofs of
10 Claim [DE 5678]
11
12 **2/15/2008** Request for Settlement Conference on Objections of the USACM
13 Liquidating Trust to PBGC Proofs of Claim Filed by FRANK A.
14 ANDERSON on behalf of PENSION BENEFIT GUARANTY
15 CORPORATION [5857]
16
17 **2/19/2008** Response by USACM Liquidating Trust to Request for Settlement
18 Conference on Objections of the USACM Liquidating Trust to
19 PBGC Proofs of Claim [filing today]
20
21 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
22 4/02/2008 Pension Benefit Guaranty Corporation *Resolving Proofs of Claim*
23 Filed by ROB CHARLES on behalf of USACM LIQUIDATING
24 TRUST [DE 6114]
25
26 **Status:** Hearing Continued from 10/15/2007; 12/14/2007; 1/28/2008; and
The court will hear oral argument on the remaining
unresolved issues.

6. **Supplemental Objection to Claim 10725-00791 of PENSION BENEFIT**
GUARANTY CORPORATION in the amount of filed by ROB CHARLES on behalf
of USACM LIQUIDATING TRUST [DE 5927]

Response Filed: Response with Certificate of Service //PBGC's Response to the
3/14/2008 *Supplemental Objection of the USACM Liquidating Trust to*
Claim No. 791 of the PBGC. Filed by FRANK A. ANDERSON
on behalf of PENSION BENEFIT GUARANTY
CORPORATION [DE 5984]

Reply Filed: Reply with Certificate of Service *in Support of Supplemental*
3/25/2008 *Objection of the USACM Liquidating Trust to Claim No. 791 of*
the Pension Benefit Guaranty Corporation Filed by ROB
CHARLES on behalf of USACM LIQUIDATING TRUST [DE
6049]

Reply Filed:

3/31/2008

Reply with Certificate of Service //PBGC's *Sur-reply to the Supplemental Objection of the USACM Liquidating Trust to Claim No. 791 of the PBGC* Filed by FRANK A. ANDERSON on behalf of PENSION BENEFIT GUARANTY CORPORATION [DE 6063]

Status:

The court will hear oral argument on the remaining unresolved issues.

7. Adv. 07-01154-lbr, USACM Liquidating Trust v. JMK Investments, Ltd., et al., **Motion to Compel Production of Documents by Lender Defendants with Certificate of Service** Filed by STEPHEN T LODEN on behalf of USACM LIQUIDATING TRUST [DE 121]

Status:

Hearing continued from 3/11/2008. This matter will come before the Court at the hearing.

8. **Application Motion to Consolidate USACM Liquidating Trust's Amended Objection to the Allowance of Los Valles Land & Golf's Claim with Adversary Case No. 08-01058** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5991]

Objection Filed:

4/01/2008

Objection to *USACM Liquidating Trust's Motion to Consolidate* Filed by TIMOTHY A LUKAS on behalf of LOS VALLES LAND & GOLF, LLC [DE 6093]

Reply Filed:

4/04/2008

Reply with Certificate of Service *in Support of Motion to Consolidate* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6147]

Status:

The Court will hear oral argument on this matter. The parties were expecting that the Court would hear oral argument during its 10:30 calendar when it will take up other Los Valles related matters.

Agenda for 10:30 a.m.

1. Adversary 06-01146-lbr USA Commercial Mortgage Company v. Wells Fargo Bank, NA, et al, **STATUS HEARING RE: Amended Complaint FOR INTERPLEADER with Certificate of Service** Filed by DAVID W. HUSTON on behalf of USA COMMERCIAL MORTGAGE COMPANY against all defendants [DE 54]

Answer Filed: Answer to Amended Complaint by Tomlin Trust (Related Doc # 11/30/2006 [54](#)), Crossclaim by Tomlin Trust, Donald S and Dorothy Tomlin Trustees against JOHN ROBERT MALLIN, MARIE THERESA MALLIN, GEORGE J. MOTTO Filed by GEORGE C LAZAR on behalf of Tomlin Trust, Donald S and Dorothy Tomlin Trustees [DE 75]

12/04/2006 Answer to Amended Complaint *with certificate of service* (Related Doc # [54](#)) Filed by C RANDALL BUPP ESQ on behalf of PORTER A HURT [DE 79]

3/20/08 Order Setting Status Conference Regarding Outstanding Issues in Interpleader Action

Status: Hearing continued from 12/15/2006; 2/15/2007; 3/15/2007; 3/27/2007; 5/31/2007; 7/27/2007; 12/14/2007; and 2/21/2008..

We have been in contact with the following individuals who informed us that they will attempt to attend the status conference by telephone: Donald Pinsker, legal counsel for Judd Robbins IRA and Craig Medoff. We have been unable to reach Peter and Fabiola Bolina directly, but we have their contact information and we are continuing to try. Based upon our conversations with the parties, we believe they will resolve their disputes by stipulation because the disputed assignments relate to investments in loans that paid in full. Therefore, there is money in the Registry Account or elsewhere that is sufficient to fully compensate all parties. One issue that the Court may want to address at the status conference is how to divide up the interest that has accrued in the Court's Registry Account.

2. **Motion for Summary Judgment Regarding (1) Responses To The USACM Trust's First Through Thirty-Third Omnibus Objections To Claims Asserting A Secured Status; (2) Responses to USACM Trust's First Through Third Omnibus Objections to Claims Asserting A Priority Status; and (3); Newly Alleged Secured And Priority Claims** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4291]

Related Filings: The only unresolved claims are those filed by the Dutkin Trust

Response Filed: Response with Certificate of Service & Objection of USA COMMERCIAL MORTGAGE COMPANY to Claim of DUTKIN TRUST Asserting Secured Status Filed by GEORGE D FRAME on behalf of JOHN DUTKIN [DE 4628]

9/14/2007 Supplemental Statement of Facts in Support of Motion for Summary Judgment Regarding (1) Responses to the USACM Trust's First through Thirty-Third Omnibus Objections to Claims Asserting a Secured Status; (2) Responses to USACM Trust's First through Third Omnibus Objections to Claims Asserting a Priority Status; and (3) Newly Alleged Secured and Priority Claims Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4811]

Stipulation Filed: Stipulation By USACM LIQUIDATING TRUST and John Dutkin, Trustee to Continue Hearing Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5443]

Related Event: Order Approving Stipulation to Continue the Hearing on Motion for Summary Judgment Re DUTKIN's Claim [DE 5451]

Related Event: Order Requiring Supplemental Briefing on the USACM TRUST's Eighth Omnibus Objection to Claims Asserting a Secured Status as it Pertains to the Claim Filed by JOHN DUTKIN [DE 5711]

1/31/2008 Supplemental Brief Filed by GEORGE D FRAME on behalf of JOHN DUTKIN [DE 5768]

2/01/2008 Deadline Set/Terminated Motion for Exceptional Circumstances due by 2/11/2008 [DE 5770]

2/08/2008 Supplemental Brief in Support of Eighth Omnibus Objection to Claims Asserting a Secured Status as that Objection Pertains to the Dutkin Claim Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5804]

Status: The only unresolved claims are those filed by the Dutkin Trust.

1 The USACM Trust expects that when the Dutkin Trust's claims in
2 the interpleader are resolved the Dutkin Trust will stipulate that
3 the Court may grant summary judgment to USACM Trust. If not,
4 the USACM Trust is prepared to argue the Motion for Summary
Judgment.

5 3. **Status Hearing Re: Eighth Omnibus Objection (*Pertaining to Claim filed***
6 ***by John Dutkin*)** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST
[DE 3147]

7
8 **Response Filed:** Response with Certificate of Service Filed by GEORGE D
4/19/2007 FRAME on behalf of JOHN DUTKIN [DE 3512]

9 **Related Event:** Order Sustaining Eighth Omnibus Objection of the USACM
10 6/29/2007 LIQUIDATING TRUST to Claims Asserting Secured Status [DE
4079]

11 **Related Filings:** Motion for Summary Judgment Regarding (1) Responses To The
12 7/30/2007 USACM Trust's First Through Thirty-Third Omnibus Objections
13 To Claims Asserting A Secured Status; (2) Responses to USACM
14 Trust's First Through Third Omnibus Objections to Claims
15 Asserting A Priority Status; and (3); Newly Alleged Secured And
Priority Claims Filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 4291]

16 **Response Filed:** Response with Certificate of Service & *Objection of USA*
17 8/17/07 *COMMERCIAL MORTGAGE COMPANY to Claim of DUTKIN*
TRUST Asserting Secured Status Filed by GEORGE D FRAME
18 on behalf of JOHN DUTKIN [DE 4628]

19 **Related Event:** Order Requiring Supplemental Briefing on the USACM TRUST's
1/22/2008 Eighth Omnibus Objection to Claims Asserting a Secured Status
20 as it Pertains to the Claim Filed by JOHN DUTKIN [DE 5711]

21 1/31/2008 Supplemental Brief Filed by GEORGE D FRAME on behalf of
JOHN DUTKIN [DE 5768]

22 2/01/2008 Deadline Set/Terminated Motion for Exceptional Circumstances
23 due by 2/11/2008 [DE 5770]

24 2/8/2008 Supplemental Brief *in Support of Eighth Omnibus Objection to*
Claims Asserting a Secured Status as that Objection Pertains to
25 *the Dutkin Claim* Filed by ROB CHARLES on behalf of USACM
26 LIQUIDATING TRUST [DE 5804]

Status: Hearing continued from 4/26/2007; 6/15/2007; 12/14/2007; 12/20/2007; and 2/21/2008. The USACM Trust expects that when the Dutkin Trust's claims in the interpleader are resolved the Dutkin Trust will stipulate that the Court may grant summary judgment to USACM Trust. If not, the USACM Trust is prepared to argue the Objection along with the Motion for Summary Judgment.

4. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in Hasley Canyon Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5912]

Related Event: Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Hasley Canyon Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5924]

Status: No Response Filed

5. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in Hasley Canyon Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5914]

Related Event: Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Hasley Canyon Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5924]

Status: No Response Filed

6. ***Third Omnibus Objection to Proofs of Claim Based Upon Investment in Hasley Canyon Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5916]

Related Event: Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Hasley Canyon Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5924]

Status: No Response Filed

1 7. ***Fourth Omnibus Objection to Proofs of Claim Based Upon Investment in***
2 ***Hasley Canyon Loan with Certificate of Service*** filed by ROB CHARLES on behalf of
USACM LIQUIDATING TRUST [DE 5918]

3 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*
4 2/28/2008 *Objections to Proofs of Claim Based Upon Investment in Hasley*
5 *Canyon Loan* Filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 5924]

6 **Status:** No Response Filed

7
8 8. ***Fifth Omnibus Objection to Proofs of Claim Based Upon Investment in***
9 ***Hasley Canyon Loan with Certificate of Service*** filed by ROB CHARLES on behalf of
USACM LIQUIDATING TRUST [DE 5920]

10 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*
11 2/28/2008 *Objections to Proofs of Claim Based Upon Investment in Hasley*
12 *Canyon Loan* Filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 5924]

13 **Status:** No Response Filed

14
15 9. ***Sixth Omnibus Objection to Proofs of Claim Based Upon Investment in***
16 ***Hasley Canyon Loan with Certificate of Service*** filed by ROB CHARLES on behalf of
USACM LIQUIDATING TRUST [DE 5922]

17 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*
18 2/28/2008 *Objections to Proofs of Claim Based Upon Investment in Hasley*
19 *Canyon Loan* Filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 5924]

20 **Status:** No Response Filed

21 10. Adv. 06-01167-lbr, USA Commercial Mortgage Company v. Robert J. Kehl,
22 et al., **Motion for Summary Judgment And For Order Of Directing Release Of**
23 **Funds**, Filed by GEORGE D FRAME on behalf of JOHN DUTKIN [DE 330]

24 **Stipulation Filed:** Stipulation and Order for Settlement as Between JOHN DUTKIN,
25 2/04/2008 TRUSTEE OF THE JOHN DUTKIN REVOCABLE LIVING
26 TRUST DATED 1/17/00 and FIRST TRUST COMPANY OF
ONAGA, CUSTODIAN OF KAREN S. MOBERLY IRA [DE
333]

Limited Opposition Filed: Limited Opposition with Certificate of Service to *JOHN DUTKIN's Motion For Summary Judgment and For Order Directing Release of Funds* Filed by LENARD E. SCHWARTZER on behalf of USA CAPITAL FIRST TRUST DEED, USA COMMERCIAL MORTGAGE COMPANY [DE 337]
2/07/2008

Status: Hearing continued from 3/25/2008.

11. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in Cottonwood Hills LLC Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6011]

Related Event: Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Cottonwood Hills, LLC Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6015]
3/18/2008

Status: No Response Filed

12. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in Cottonwood Hills LLC Loan with Certificate of Service*** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6013]

Related Event: Declaration Of: Edward M. Burr *in Support of Omnibus Objections to Proofs of Claim Based Upon Investment in Cottonwood Hills, LLC Loan* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6015]
3/18/2008

Status: No Response Filed

13. Adversary 06-01146-lbr USA Commercial Mortgage Company v. Wells Fargo Bank, NA, et al, ***Motion for Summary Judgment and Request for Disbursement of Funds from Court Registry*** Filed by JAMES D. GREENE on behalf of PLATINUM PROPERTIES 1, INC. [DE 147]

Status:

14. Adversary 08-01058-lbr USACM Liquidating Trust v. Los Valles Land & Golf, LLC, **Motion to Strike Portions of Plaintiff's Amended Adversary Complaint** Filed by TIMOTHY A LUKAS on behalf of LOS VALLES LAND & GOLF, LLC [DE 11]

Stipulation Filed: Stipulation By USACM LIQUIDATING TRUST and Between
4/03/2008 Los Valles Land & Golf LLC to Accelerate Hearing Date on Los Valles' Motion to Strike Portions of Plaintiff's Amended Adversary Complaint Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 13]

Response Filed: Response with Certificate of Service to Motion to Strike Portions
4/04/2008 of Amended Adversary Complaint Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 14]

Related Event: Order Accelerating Hearing Date For Defendant LOS VALLES
4/07/2008 LAND & GOLF, LLC's Motion To Strike Portions Of Plaintiff's Amended Adversary Complaint Hearing scheduled 4/17/2008 at 10:30 AM at LBR-Courtroom 1, Foley Federal Bldg [DE 15]

Reply Filed: Reply in Support of Motion Filed by TIMOTHY A LUKAS on
4/11/2008 behalf of LOS VALLES LAND & GOLF, LLC [DE 18]

Status The Court will hear oral argument.

15. Adv. 06-01251-lbr USACM Liquidating Trust v. Reale et al, **Application Motion to Supplement Findings of Fact and Conclusions of Law Pursuant to Federal Rule of Civil Procedure 52(b)** Filed by ERIC D MADDEN on behalf of USACM LIQUIDATING TRUST [DE 145]

Related Filings: Motion for Order Shortening Time Filed by ERIC D MADDEN
4/03/2008 on behalf of USACM LIQUIDATING TRUST [DE 146]

4/08/08 Order Shortening Time to Hear USACM LIQUIDATING TRUST'S Motion to Supplement Findings of Fact and Conclusions of Law Pursuant to Federal Rule of Civil Procedure 52(b) [DE 148]

Status The Court will hear argument on the motion.

LEWIS
AND
ROCA
LLP
LAWYERS

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

Rob Charles, NV 6593

John Hinderaker, AZ 18024

Counsel for USACM Liquidating Trust

PROOF OF SERVICE

COPY of the aforementioned sent via e-mail or U.S. First Class Mail on April 15, 2008 to the parties listed on Post-Effective Official Service List for Limited Notice No. 4 Dated January 8, 2008.

/s/ Christine E Laurel

Christine E Laurel

Lewis and Roca LLP